

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VANCE RIDDLE,
Plaintiff,
v.
MARSHALL E. MIKELS,
Defendant.

Case No. [14-cv-02883-JD](#)

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION**

Re: Dkt. No. 9

The Court has reviewed Magistrate Judge Westmore's Report and Recommendation To Deny Defendant's Application to Proceed In Forma Pauperis and To Remand to State Court. The Court finds the Report correct, well-reasoned and thorough, and adopts it in its entirety. Magistrate Judge Westmore's Report and Recommendation was filed on July 11, 2014. No objections have been filed,¹ and the time to file objections has expired. *See* Fed. R. Civ. P. 72(b)(2). Accordingly, this matter is remanded to the San Mateo County Superior Court and the pending motion to remand, Dkt. No. 8, is denied as moot. The Clerk of Court will transmit the file to San Mateo County Superior Court.

IT IS SO ORDERED.

Dated: August 6, 2014



JAMES DONATO
United States District Judge

¹ On July 25, 2014, Mr. Mikels filed a document titled "Notice of and Affidavit of Conditional Acceptance for Value of Order Dated July 1, 2014 by Kandis A. Westmore Magistrate Judge to Reassign Case, Report and Recommendations to Remand Upon Proof of Claims." *See* Dkt. No. 14. This document, however, does not respond to Magistrate Judge Westmore's Report and Recommendation. Even construing Mr. Mikels' filing liberally, he has not raised any objections that persuade this Court not to adopt Magistrate Judge Westmore's Report and Recommendation.

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 8/7/2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Marshall E. Mikels
1625 Grant Road
Mount Shasta, CA 96067

Dated: 8/7/2014

Richard W. Wieking
Clerk, United States District Court

By: Lisa R. Clark
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO

United States District Court
Northern District of California